

111TH CONGRESS
1ST SESSION

S. 1708

To establish a grant program to prevent truancy, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 24, 2009

Ms. KLOBUCHAR (for herself and Mrs. HAGAN) introduced the following bill;
which was read twice and referred to the Committee on Health, Edu-
cation, Labor, and Pensions

A BILL

To establish a grant program to prevent truancy, and for
other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Student Attendance
5 Success Act of 2009”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) LOCAL EDUCATIONAL AGENCY.—The term
9 “local educational agency” has the meaning given

1 the term in section 9101 of the Elementary and Sec-
 2 ondary Education Act of 1965 (20 U.S.C. 7801).

3 (2) SECRETARY.—The term “Secretary” means
 4 the Secretary of Education.

5 (3) STATE EDUCATIONAL AGENCY.—The term
 6 “State educational agency” has the meaning given
 7 the term in section 9101 of the Elementary and Sec-
 8 ondary Education Act of 1965 (20 U.S.C. 7801).

9 (4) TRUANCY.—The term “truancy” has the
 10 meaning given the term in section 4112(c)(3)(E) of
 11 the Elementary and Secondary Education Act of
 12 1965 (20 U.S.C. 7112(c)(3)(E)).

13 **SEC. 3. TRUANCY PREVENTION DISCRETIONARY GRANT**
 14 **PROGRAM.**

15 (a) GRANTS AUTHORIZED.—

16 (1) IN GENERAL.—The Secretary is authorized
 17 to award grants to State educational agencies to en-
 18 able the State educational agencies to award sub-
 19 grants to local educational agencies within the State
 20 to enable the local educational agencies to create
 21 programmatic initiatives aimed at keeping students
 22 in school, in order to improve academic achievement.

23 (2) DURATION.—

1 (A) IN GENERAL.—A State educational
2 agency shall award subgrants under this section
3 for a period of 3 years.

4 (B) RENEWAL.—A State educational agen-
5 cy may award a subgrant to a local educational
6 agency under this section for an additional 3
7 year period if the report submitted by the local
8 educational agency under subsection (d) for the
9 preceding 3-year subgrant period demonstrates
10 documented improvement in keeping students in
11 school.

12 (3) AWARD BASIS.—A State educational agency
13 shall award subgrants under this section on a com-
14 petitive basis, taking into consideration the needs of
15 local educational agencies serving schools with a his-
16 tory of high levels of truancy among students in
17 grades 5 through 9.

18 (b) APPLICATION.—

19 (1) STATE APPLICATION.—Each State edu-
20 cational agency desiring a grant under this section
21 shall submit an application to the Secretary at such
22 time, in such manner, and accompanied by such in-
23 formation as the Secretary may reasonably require.

24 (2) LOCAL APPLICATION.—Each local edu-
25 cational agency desiring a subgrant under this sec-

tion shall submit an application to the State educational agency at such time, in such manner, and accompanied by such information as the State educational agency may reasonably require.

(3) LOCAL APPLICATION CONTENTS.—Each application submitted under paragraph (2) shall—

(A) demonstrate a documented history of significant truancy in grades 5 through 9 in the schools served by the local educational agency;

(B) describe the activities for which assistance under this section is sought; and

(C) provide such additional assurances and information as the State educational agency determines to be essential to ensure compliance with the requirements of this section, including strategies that the local educational agency will use to address issues such as a supportive school climate and the extent to which students feel connected to the school and attached to not less than 1 caring adult at the school.

(c) USE OF FUNDS.—A local educational agency receiving a subgrant under this section shall, to the extent practicable, use the subgrant funds to partner with a community-based organization to create programmatic initiatives aimed at keeping students in school.

1 (d) REPORTING REQUIREMENT.—Each local edu-
 2 cational agency receiving subgrant funds under this sec-
 3 tion shall submit a report to the State educational agency
 4 on the local educational agency’s performance of the ac-
 5 tivities described in subsection (c).

6 (e) AUTHORIZATION OF APPROPRIATIONS.—There
 7 are authorized to be appropriated to carry out this section
 8 such sums as may be necessary for fiscal year 2010 and
 9 each of the 5 succeeding fiscal years.

10 **SEC. 4. NATIONAL RESOURCE CENTER FOR POSITIVE**
 11 **YOUTH DEVELOPMENT AND SCHOOL SUC-**
 12 **CESS.**

13 (a) CENTER.—From amounts appropriated under
 14 subsection (d), the Secretary shall award a grant to an
 15 eligible nonprofit organization to provide for the establish-
 16 ment and operation of a National Resource Center on
 17 Positive Youth Development and School Success (referred
 18 to in this section as the “Center”).

19 (b) ELIGIBLE ORGANIZATION.—In order to be eligi-
 20 ble to receive a grant under this section, an organization
 21 shall have a history of, and expertise in, carrying out the
 22 functions described in subsection (c).

23 (c) FUNCTIONS.—The Center established under sub-
 24 section (a) shall—

1 (1) provide evidence-based resources, publica-
 2 tions, and training to State educational agencies and
 3 local educational agencies on the positive relation-
 4 ships, opportunities, and skills that students need to
 5 succeed in school and avoid risky behavior, such as
 6 truancy;

7 (2) provide a free information service, using
 8 print, electronic media, and the Internet, for schools,
 9 principals, school officers, parent-teacher associa-
 10 tions, and community groups, relating to incor-
 11 porating developmental assets, supports and
 12 strengths into existing school curriculum, programs,
 13 and services; and

14 (3) conduct and publish research on the rela-
 15 tionship between a whole child approach to youth de-
 16 velopment and school success, including academic
 17 achievement and retention of the teaching force.

18 (d) AUTHORIZATION OF APPROPRIATIONS.—There
 19 are authorized to be appropriated to carry out this section
 20 such sums as may be necessary for fiscal year 2010 and
 21 each of the 5 succeeding fiscal years.

22 **SEC. 5. NATIONAL DEFINITION OF TRUANCY.**

23 Section 4112(c)(3) of the Elementary and Secondary
 24 Education Act of 1965 (20 U.S.C. 7112(c)(3)) is amend-
 25 ed—

1 (1) by redesignating subparagraph (E) as sub-
2 paragraph (F); and

3 (2) by inserting after subparagraph (D) the fol-
4 lowing:

5 “(E) TRUANCY RATE DATA COLLECTION.—

6 “(i) IN GENERAL.—For the purposes
7 of collecting the information described in
8 subparagraph (B)(i), the term ‘truancy’
9 means each absence of a student who is re-
10 quired by State law to attend elementary
11 school or secondary school from such
12 school for the time period described in
13 clause (ii) without an excuse described in
14 clause (iii).

15 “(ii) TIME PERIOD.—The time period
16 referred to in clause (i) is—

17 “(I) 3 consecutive school days in
18 the case of a child enrolled in elemen-
19 tary school; and

20 “(II) 3 or more class periods on
21 each of 3 consecutive school days in
22 the case of a child enrolled in middle
23 or secondary school.

24 “(iii) EXCUSED ABSENCES.—An ex-
25 cuse referred to in clause (i) is—

1 “(I) an excuse by a parent of the
2 student that is approved by the school
3 administrator in charge; or

4 “(II) permission from a teacher
5 or administrator in charge.

6 “(iv) LIMITATIONS.—An absence de-
7 scribed in clause (i) shall not be considered
8 truancy—

9 “(I) unless the absence was re-
10 viewed by a school official and deter-
11 mined to be unexcused; or

12 “(II) if the absence is caused by
13 a school decision to remove a student
14 from the school and deny the student
15 attendance for any length of time.”.

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